



ALABAMA DEPARTMENT OF TRANSPORTATION

Bureau of County Transportation

1409 Coliseum Blvd., Montgomery, Alabama 36110-2060

Phone: (334) 242-6206 FAX: (334) 353-6530

Internet: <http://www.dot.state.al.us>



Bob Riley
Governor

Joe McInnes
Transportation Director

July 28, 2008

MEMORANDUM 2007-14

To: County Engineers

Cc: Division County Transportation Engineers

From: 
D.E. (Ed) Phillips, Jr., State County Transportation Engineer

Reference: Bicycle – Pedestrian Consideration

Please find attached correspondence from the Federal Highway Administration (FHWA) concerning the requirement that bicycle transportation facilities and pedestrian walkways be considered in conjunction with all new construction and reconstruction of transportation facilities. The FHWA interpretation is that this requirement also applies to maintenance resurfacing projects. I am requesting that we address this requirement during the Scope of Work Review and environmental document (usually a Categorical Exclusion) for all future county projects. Please note that the FHWA has defined the required “due consideration” as presuming bicyclists and pedestrians will be accommodated. It will now be our job to demonstrate whether or not such accommodations are needed on each project.

Regional Planning Council and/or Metropolitan Planning Organization documents should be reviewed to determine if a project falls within their respective planning jurisdictions. If so, their plan(s) should be reviewed to see if the project route and its project limits have been identified as a bicycle and/or pedestrian route. If so, we should make these accommodations as part of the project improvements. For all projects, the project setting should be reviewed during the Scope of Work meeting to: (1) take a look at the surrounding area. If there are churches, schools, shopping centers, etc. within the project limits then give consideration to bicycle/pedestrian facilities; and, (2) determine if existing bicycle and/or pedestrian usage is prevalent. If a worn dirt path along the existing road is present then give consideration to bicycle/pedestrian facilities. These considerations should be included in the Scope of Work Review notes.

When preparing the environmental documents for any project, include a paragraph describing the bicycle/pedestrian facilities evaluation process, what existing project setting considerations are present, if existing usage is evident, and what bicycle/pedestrian features

(if any) are to be included with the project improvements. If, in your judgment, none are warranted, please include a statement justifying the decision not to accommodate bicycles and/or pedestrians.

Since the vast majority of our projects are maintenance resurfacing or rural bridge replacements, I do not foresee that many of our projects will warrant the inclusion of bicycle/pedestrian facilities. However, they must be considered, and this evaluation process documented.

The evaluation process and documentation will be required on all projects with Scope of Work Reviews after August 1, 2008. If you should have any questions or comments concerning this matter, please feel free to contact me at (334) 242-6203.

DEP/dep
Attachment

Pc: Mr. Joe McInnes, Transportation Director
Mr. D.W. Vaughn, Chief Engineer/Deputy Director
Mr. Don Arkle, Assistant Chief Engineer, Policy & Planning
Mr. Bill Van Luchene, FHWA
Mr. Buddy Sharpless, ACCA
File



U.S. Department
of Transportation
**Federal Highway
Administration**

Alabama Division

June 30, 2008

500 Eastern Blvd., Suite 200
Montgomery, AL 36117-2018



Mr. D. J. McInnes
Director
Alabama Department of Transportation
Montgomery, Alabama

In Reply Refer To:
HDA-AL

Subject: Bicycle – Pedestrian (Bike-Ped) Consideration in
Environmental Documentation

In several recent comment letters, we have included a request to address the need for bicycle and pedestrian facilities. The Federal requirement for such consideration comes from Title 23, United States Code (U.S.C.), Section 217. This provision of law requires bicycle transportation facilities and pedestrian walkways be considered in conjunction with all new construction and reconstruction of transportation facilities. FHWA guidance states that:

“‘Due consideration’ of bicycle and pedestrian needs should include, at a minimum, a presumption that bicyclists and pedestrians will be accommodated in the design of new and improved transportation facilities. In the planning, design and operation of transportation facilities, bicyclists and pedestrians should be included as a matter of routine, and the decision not to accommodate them should be the exception rather than the rule. There must be exceptional circumstances for denying bicycle and pedestrian access either by prohibition or by designing highways that are incompatible with safe, convenient walking and bicycling.”

In order to comply with this requirement, NEPA documents must, as a minimum,

- Consider the context of the project setting. In other words, ALDOT should consider whether the general project area includes features like neighborhoods, shopping, schools, transit, or other facilities likely associated with the needs of bicyclists or pedestrians;
- Consider any evidence of existing, informal bike-ped activities. An example could be a worn, dirt path along an existing road;
- Consider any reference to bicycle or pedestrian needs in the planning process for the project area; and
- Consider public, agency or other comments requesting such facilities.

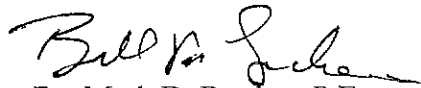
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The NEPA document should include evidence that such consideration was given for the project and support for the decision reached.

If you have any questions, call Bill Van Luchene at (334) 223-7379.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Bill Van Luchene". The signature is fluid and cursive, with a long horizontal stroke at the end.

For Mark D. Bartlett, P.E.
Division Administrator